



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes PLANNING COMMISSION

Bob Kinney - Chairman
Kent Rosenbury, Ward 1
Frasure Hunter, Ward 2
Hicks Poor, Ward 3
Roy Vanderslice, Ward 4
Brenda McCrae, Ward 5
Stephen Diffley, Ward 7

Tuesday, May 3, 2016

6:00 PM

City Hall Council Chambers

*Present: Bob Kinney, Kent Rosenbury, Frasure Hunter, Hicks Poor, Roy Vanderslice,
Brenda McCrae and Stephen Diffley*

Staff:

Brian Binzer, Development Services Director
Rusty Roth, Planning & Zoning Manager
Shelby Winkles, Zoning Administrator
Jasmine Chatman, Urban Planner
Daniel White, City Attorney
Ines Embler, Secretary to the Board

CALL TO ORDER & ROLL CALL:

Chairman Kinney called the May 3, 2016 Planning Commission Meeting to order at 6:00PM

Mr. White, City Attorney, explained the rules and procedures used in conducting the public hearings.

MINUTES:

20160353 April 5, 2016 Regular Planning Commission Meeting Minutes

Review and Approval of the April 5, 2016 Regular Planning Commission Meeting Minutes.

Mr. Diffley made a motion, seconded by Mr. Poor to recommend approval as submitted. The motion carried 7-0-0.

Approved and Finalized

Absent: 0
Vote For: 7
Vote Against: 0

REZONINGS/ANNEXATIONS/FUTURE LAND USE:**20160197 Z2016-06 [REZONING] BLACK BUILDERS, LLC**

Z2016-06 [REZONING] BLACK BUILDERS, LLC is requesting the rezoning of 5.21 acres located in Land Lot 923, District 16, Parcels 0030, 0080, and 0100 2nd Section, Marietta, Cobb County, Georgia, and being known as 1214, 1244, and 1250 Allgood Road from R-2 (Single Family Residential - 2 units/acre) to RA-8 (Single Family Residential Attached - 8 units/acre). Ward 6B.

File number Z2016-06 was presented by Mr. Roth for a request to rezone property known as 1214, 1244, and 1250 Allgood Road from R-2 (Single Family Residential - 2 units/acre) to RA-8 (Single Family Residential Attached - 8 units/acre).

A public hearing was not held.

Mr. Kevin Moore attorney for the Applicant, requested to table the request to rezone property known as 1214, 1244, and 1250 Allgood Road from R-2 (Single Family Residential - 2 units/acre) to RA-8 (Single Family Residential Attached - 8 units/acre) to the July 5, 2016 meeting in order to improve the overall design of the project.

The board members expressed their disapproval of such late notice and stated that had the current plan been put forth it would not have been well received due to the nature of the site and development being proposed. Mr. Moore apologized and explained his reasons for the request to table at the last minute. He explained that they are looking into acquiring adjacent land and that they are considering changing the request to RA-6.

Mr. Kinney asked staff to explain the rules for construction in undisturbed buffers and Mr. Roth explained that there are limitations for clearing undisturbed buffers. Mr. Moore stated that he was aware of the limitations and is currently working with his client to resolve all issues.

Mr. Diffley made a motion, seconded by Ms. McCrae to table this request to the July 5, 2016 Planning Commission meeting. The motion carried 7-0-0.

Tabled

**Absent: 0
Vote For: 7
Vote Against: 0**

20160280

Z2016-08 [REZONING] BROCK BUILT HOMES, LLC

Z2016-08 [REZONING] BROCK BUILT HOMES, LLC is requesting the rezoning of 0.7 acres located in Land Lot 360, District 17, Parcel 0220, 2nd Section, Marietta, Cobb County, Georgia, and being known as 560 Haley Street from NRC (Neighborhood Retail Commercial) to PRD-SF (Planned Residential Development - Single Family). Ward 1A.

File number Z2016-08 was presented by Mr. Roth for a request to rezone property known 560 Haley Street from NRC (Neighborhood Retail Commercial) to PRD-SF (Planned Residential Development – Single Family).

A public hearing was held.

Mr. Nick Fender, for the Applicant, is requesting to rezone property known 560 Haley Street from NRC (Neighborhood Retail Commercial) to PRD-SF (Planned Residential Development – Single Family).

There was no opposition to this request.

The board members asked questions pertaining to the detention pond; where it will be located; type of pond, access and safety concerns.

Mr. Fender explained that the detention pond will be a simple berm pond; that there will be foot access to it behind the homes on the east side going toward Fairground St. He said that it would be a common area and that it would be landscaped. The idea of a fence around it is currently being discussed.

Mr. Kinney asked if their Home Owner's Association will be part of Manget and if the maintenance of the exterior will be handled by the association. Mr. Fender affirmed and stated that if accepted into Manget, they will follow the same policies currently in the Manget Home Owner's Association.

Mr. Rosenbury asked if all seven (7) houses will have different facades and styles and what type of mail box will be used. Mr. Fender said that all of the houses will have different facades and styles and they are planning on a common mailbox, but that the location for the mailbox is currently undecided.

Ms. McCrae asked if other than the driveway, if there would be any additional parking. Mr. Fender stated that they will also have garage parking.

Mr. Rosenbury asked if there would be sidewalks around the entire subdivision and Mr. Fender affirmed.

The public hearing was closed.

Mr. Rosenbury made a motion, seconded by Mr. Vanderslice to recommend approval as submitted. The motion carried 6-1-0. Ms. McCrae opposed.

Recommended for Approval

Absent: 0

Vote For: 6

Vote Against: 1

20160281

Z2016-07 [REZONING] JOHN & KRISTEN WILLS

Z2016-07 [REZONING] JOHN & KRISTEN WILLS is requesting the rezoning of 1.1 acres located in Land Lots 283 & 288, District 20, Parcel 0380, 2nd Section, Marietta, Cobb County, Georgia, and being known as 1409 Walcutts Way from R-20 (Cobb County - Single Family Residential) to R-2 (City - Single Family Residential 2 units/acre). Ward 4C.

File number Z2016-08 was presented by Mr. Roth for a request to rezone property known as 1409 Walcutts Way from R-20 (Cobb County - Single Family Residential) to R-2 (City - Single Family Residential 2 units/acre).

A public hearing was held.

Mr. John Wills, the Applicant, is requesting to rezone property known as 1409 Walcutts Way from R-20 (Cobb County - Single Family Residential) to R-2 (City - Single Family Residential 2 units/acre) in order to annex into the City of Marietta.

There was no opposition to this request.

Mr. Kinney noted that the sign was missing from the property, showed him a picture of the sign that had been posted and asked if he knew what happened to it. Mr. Wills acknowledged that the sign was no longer posted and stated that he thought the City had taken it down. He said all of his neighbors saw it and no one expressed concern.

Mr. Diffley asked who his utility companies will be and what the closest Cobb County schools to his house were. Mr. Wills advised who his utility company was and that the closest Cobb County School would be Kennesaw Mountain High School.

Mr. Rosenbury asked if it was not disclosed to him when he purchased the property that he was in Cobb County and not within the City of Marietta city limits. Mr. Wills stated that it was explained to him but that they really had not put much thought into it at that time.

Mr. Rosenbury asked if there were other options besides annexation for his children to attend City Schools and Mr. Wills said that there are Magnet programs, but that they may not be suitable for all his children.

Mr. Rosenbury expressed concern over the City School bus having to add a route just to pick up his children. Mr. Wills explained that he spoke with someone at the school level and was told that there already is a bus route in the area and that it would not be a problem for his children to be included.

The public hearing was closed.

Mr. Vanderslice made a motion, seconded by Mr. Hunter to recommend approval as submitted. The motion carried 6-1-0. Mr. Rosenbury opposed.

Recommended for Approval

Absent: 0
Vote For: 6
Vote Against: 1

20160282

A2016-01 [ANNEXATION] JOHN & KRISTEN WILLS

A2016-01 [ANNEXATION] JOHN & KRISTEN WILLS requesting the annexation of property located in Land Lots 283 & 288, District 20, Parcel 0380 (also known as 1409 Walcutts Way), of the 2nd Section, Cobb County, Georgia consisting of 1.1 acres. Ward 4C.

File number A2016-01 was presented by Mr. Roth for a request to annex property known as 1409 Walcutts Way from R-20 (Cobb County - Single Family Residential) to R-2 (City - Single Family Residential 2 units/acre).

A public hearing was held.

Mr. John Wills, the Applicant, is requesting to annex property known as 1409 Walcutts Way from R-20 (Cobb County - Single Family Residential) to R-2 (City - Single Family Residential 2 units/acre) in order for his children to attend the City of Marietta Schools.

There was no opposition to this request.

Mr. Kinney asked Mr. Wills if he is incorporating his previous remarks to this request and he affirmed.

There were no questions from the board members.

The public hearing was closed.

Mr. Diffley made a motion, seconded by Mr. Vanderslice to recommend approval as submitted. The motion carried 6-1-0. Mr. Rosenbury opposed.

Recommended for Approval

**Absent: 0
Vote For: 6
Vote Against: 1**

20160283

CA2016-03 [CODE AMENDMENT]

CA2016-03 [CODE AMENDMENT] In conjunction with the requested annexation of property in Land Lots 283 & 288, District 20, Parcel 0380, 2nd Section, Marietta, Cobb County, Georgia, and being known as 1409 Walcutts Way, the City of Marietta proposes to designate the Future Land Use of said property to LDR (Low Density Residential). Ward 4C.

File number CA2016-03 was presented by Mr. Roth for a Code Amendment in conjunction with the requested annexation of property located in Land Lot 283 & 288, District 20, Parcel 0380, 2nd Section, Marietta, Cobb County, Georgia and being known as 1409 Walcutts Way, the City of Marietta proposes to designate the Future Land Use of said property to LDR (Low Density Residential).

A public hearing was held.

There was no opposition to this request.

Mr. Kinney asked Mr. Wills if he is incorporating his previous remarks to this request and he affirmed.

There were no questions from the board members.

The public hearing was closed.

Mr. Poor made a motion, seconded by Mr. Vanderslice to recommend approval as submitted. The motion carried 6-1-0. Mr. Rosenbury opposed.

Recommended for Approval

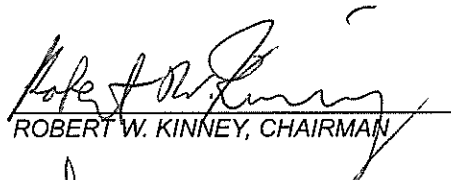
Absent: 0

Vote For: 6

Vote Against: 1

ADJOURNMENT:

The May 3, 2016 Planning Commission Meeting adjourned at 6:47PM.


ROBERT W. KINNEY, CHAIRMAN


INES EMBLER, SECRETARY